

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GARY F. FISHER,  
Plaintiff,  
v.

SCOTT NICHOLAS GRAHAM,  
Defendant.

Case No. [20-cv-01118-EMC](#)

**ORDER OF TRANSFER**

Plaintiff filed this *pro se* civil rights action, complaining of injuries suffered during an attack by another inmate on November 27, 2013. Although Plaintiff does not allege in his complaint the particular prison at which this attack occurred, medical records attached to the complaint show he was a prisoner at the California State Prison – Sacramento (CSP – Sacramento) when he was sent to the hospital following the attack. *See* Docket No. 1-1 at 43. Moreover, in an earlier action he did allege that the attack took place at CSP- Sacramento. *See Barger a/k/a Fisher v. Director of “Ops” at CDCR*, E. D. Cal. No. 2:14-cv-1323-TLN,EFB at Docket No. 1 at 1, 6.

The events and omissions complained of occurred at the CSP - Sacramento, which is located in Sacramento County, California. Sacramento County is within the venue of the Eastern District of California. The defendants are employed at the prison in Sacramento County and at CDCR headquarters in Sacramento, and apparently reside in the Eastern District of California. No defendant is alleged to reside in, and none of the events or omissions giving rise to the complaint are alleged to have occurred in, the Northern District. Venue therefore would be proper in the

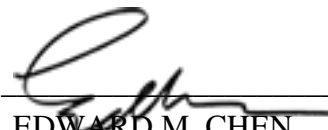
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1 Eastern District, and not in this one. *See* 28 U.S.C. § 1391(b). Accordingly, in the interest of  
2 justice and pursuant to 28 U.S.C. § 1406(a), this action is **TRANSFERRED** to the United States  
3 District Court for the Eastern District of California. The Clerk shall transfer this matter.

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5 **IT IS SO ORDERED.**

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7 Dated: April 23, 2020

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11 EDWARD M. CHEN  
12 United States District Judge  
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Northern District of California